

## CEMETERY BOARD MEETING

### MINUTES

October 7, 2010

The Cemetery Board met on October 7, 2010, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following members were present:

Randy Gleason, Chair  
David Gilliam, Vice-Chair  
Mike Kirsch  
Delores King

Board member not present: Isabel Berney

DPOR staff present for all or part of the meeting included:

Gordon Dixon, Director  
Mark Courtney, Deputy Director  
Christine Martine, Executive Director  
Herb Nichols, Investigator  
Amy Chappell, Investigator  
David Dorner, Director of Investigations  
Emily Trent, Administrative Assistant

Elizabeth Peay, from the Office of the Attorney General was present.

Mr. Gleason called the meeting to order at 10:09 AM

#### Call to Order

A motion was made by Mr. Kirsch and seconded by Ms. King to approve the agenda. The motion passed unanimously. Members voting "Yes" were Gilliam, Gleason, King and Kirsch.

#### Agenda

There was no public comment.

#### Public Comment

In the matter of **File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens**, the Board reviewed the record which consisted of the receivership statement.

**File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens**

At 10:12 A.M., Mr. Gilliam offered a motion which was seconded by Mr. Kirsch, that the Board meeting be recessed and that the Cemetery Board

#### Closed Session

immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Elizabeth Peay, Christine Martine, Herb Nichols, Amy Chappell, Mark Courtney, Gordon Dixon and David Dörner.

This motion is made with respect to the matter(s) identified as agenda item(s):

**IV. File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens**

At 11:04 A.M., a motion was made by Mr. Kirsch and seconded by Ms. King that the Board reconvene in open session.

WHEREAS, the Cemetery Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**Certification**

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Cemetery Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Cemetery Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Cemetery Board.

VOTE: 4-0

AYES: Gilliam, Gleason, King, and Kirsch.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Berney.

In the matter of **File Number 2011-00347, Stonecrest Financial Inc. t/a Meadow-Brooke Memorial Gardens**, a motion was made by Mr. Kirsch and seconded by Mr. Gilliam that the Board direct legal counsel to work

**File Number 2011-00347, Stonecrest Financial Inc. t/a**

with the bankruptcy court to protect the interests of the public who have dealings with Stonecrest Financial, Inc. t/a Meadow-Brooke Memorial Gardens. Further, if the bankruptcy court dismisses the bankruptcy petition filed by Stonecrest Financial, Inc. t/a Memorial Gardens, the board directs legal counsel to pursue legal action pursuant to §54.1-2313.1 of the Code of Virginia as necessary to ensure the cemetery company is operated in full compliance with the board's law and regulations. The motion passed unanimously. Members voting "Yes" were Gleason, Gilliam, King and Kirsch.

**Meadow-Brooke  
Memorial Gardens**

The meeting adjourned at 11:08 A.M.

**Adjourn**

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Randolph Gleason, Chair

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Gordon Dixon, Secretary